

APPEAL NO. 020170
FILED FEBRUARY 25, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing (CCH) was held on January 8, 2002. The hearing officer determined that the respondent (claimant) sustained a compensable low back injury on _____, and that the claimant had disability as a result of the compensable injury beginning on _____, at 11:00 p.m., and continuing through May 2, 2001, at 11:00 p.m.; again beginning at 11:00 p.m. on May 3, 2001, and ending at 11:00 p.m. on May 4, 2001; and again beginning at 11:00 p.m. on May 24, 2001, and continuing through the date of the CCH. The appellant (carrier) appeals on sufficiency of the evidence grounds. The claimant responds, urging affirmance.

DECISION

Affirmed.

The hearing officer did not err in reaching the complained-of determinations. The issues all involved questions of fact for the hearing officer to resolve. The hearing officer is the sole judge of the weight and credibility of the evidence (Section 410.165(a)) and, as the trier of fact, resolves the conflicts and inconsistencies in the evidence, including the medical evidence (Texas Employers Insurance Association v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ)). In view of the evidence presented, we cannot conclude that the hearing officer's determinations are so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

We affirm the decision and order of the hearing officer.

The true corporate name of the insurance carrier is **AMERICAN HOME ASSURANCE COMPANY** and the name and address of its registered agent for service of process is

**ROBERT PARNELL
8144 WALNUT HILL LANE, SUITE 1600
DALLAS, TEXAS 75231.**

Michael B. McShane
Appeals Judge

CONCUR:

Terri Kay Oliver
Appeals Judge

Robert W. Potts
Appeals Judge